

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - T&A Department – Sri B. Jagajivan Rao, formerly Sub-Treasury Officer, Bodhan, Nizamabad District - Re invoking of punishment orders – orders - Issued.

FINANCE (ADMN.III) DEPARTMENT

G.O.Rt.No. 5141

Dated: 21.12.2010.

Read the following:-

1. G.O.Ms.No.91, Fin.(Admn.III) Deptt., dt.16.04.2008
2. Judgment dated:17.11.09, in W.P.No.8000 of 2009 and batch
Of Hon'ble High Court of Andhra Pradesh
3. Lr.No.K(1)2/19373/2010, dated:03.12.2010 & 09.12.2010 of DTA., Hyd.
4. Interim stay orders passed by the Supreme Court of India, in Civil appeal
No. 80 of 2009 of 2008 dated: 9.01.2009.

\$\$\$

ORDER :-

In the reference 1st read above, orders were issued for awarding of punishment of dismissal from service on Sri B. Jagajivan Rao, formerly Sub-Treasury Officer, Bodhan, Nizamabad District, based on the Judgment of Prl. Special Judge for SPE &ACB Cases, City Civil Court, Hyderabad dated: 23.03.2007 passed in C.C.No.34 of 2002.

2. Aggrieved by the punishment orders issued in the reference 1st read above, the individual filed O.A.No.2206/07 and the same was dismissed on 29.04.2007. The individual challenged the orders of the APAT., in W.P.16102/07 and the Hon'ble High Court set aside the dismissal orders on 07.08.2007. Aggrieved to this, the respondents have filed SLP., in the APEX Court. The Hon'ble APEX Court granted stay on the orders of Hon'ble High Court of Andhra Pradesh, vide reference 4th read above.

3. The Hon'ble High Court in its judgment dated: 17.11.2009, in the reference 2nd read above has ordered that the Government/disciplinary authority is having such power to pass orders of dismissal or removal based on the conduct of the Government servant which led to his conviction in a criminal case and directed the Government to review all such cases where the Government Servants suffered conviction and even if appeal or revision against the conviction are pending. The Hon'ble High Court directed the Government to take appropriate corrective action after review of all such cases and file a compliance report and set aside all the orders of Hon'ble APAT., issued following the orders in W.P.No.16102/2007.

4. In respect of Sri B. Jagjeevan Rao, STO, Bhodan Nizamabad District, the Hon'ble High Court in its judgment dated:17.11.2009 has declared as **“per incuriam”**. However, this department has filed SLP.No.20413 of 2008 before APEX Court and orders on this is still awaited. Keeping in view of the stay granted by APEX court in the above SLP, the orders issued in the reference 1st read above holds good until the outcome of final orders of Hon'ble APEX Court.

5. “Copy of this order is available on Internet and can be accessed at address <http://www.goir.ap.gov.in>.”

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

L.V. SUBRAHMANYAM,
PRL. SECRETARY TO GOVERNMENT (FP)

To

Sri B. Jagjeevan Rao, former STO., Bhodan Nizamabad District,
(Through the DTA., Hyderabad.)

Copy to : The DTA., A.P., Hyderabad.

The Director General, ACB., Hyderabad.

The A.P.Vigilance Commn., Hyderabad.

// FORWARDED BY ORDER //

SECTION OFFICER